

**RESOLUTION 11-2005 \*AMENDED\***

**RESOLUTION OF INTENT TO CREATE A RURAL MAINTENANCE DISTRICT FOR  
SOUTH HILLS DRIVE, JEFFERSON AND LEWIS AND CLARK COUNTIES,  
MONTANA**

**WHEREAS**, Jefferson County has created procedures to implement Rural Maintenance Districts within the county for the purpose of maintaining roads per MCA § 7-12-2102; and

**WHEREAS**, Jefferson County has a means of collecting landowner fees through placing this fee on tax assessments; and

**WHEREAS**, fifteen of twenty-one landowners within the boundaries of the proposed district located primarily in Jefferson County, Montana have petitioned Jefferson County to create a Rural Maintenance District (RMD) for the purpose to provide a safer road through removal of rocks, grading, providing road mix, sanding and plowing upon South Hills Drive and five are in Lewis and Clark County and Lewis and Clark County shall be notified; and

**WHEREAS**, the Jefferson County Clerk and Recorder has certified that those individuals living in Jefferson County whose names appear on the petition own real property that is served by South Hills Drive, and Lewis and Clark County will be notified so that the Lewis and Clark County Clerk and Recorder might certify that those individuals living in Lewis and Clark County whose names appear on the petition own real property that is served by South Hills Drive; and

**WHEREAS**, South Hills Drive landowners and homeowners have established a fee for individual RMD landowners of \$250.00 per year for maintenance of South Hills Drive including removing of rocks, grade, signs, and plowing and sanding. The South Hills Drive Association, Inc. shall levy the set maintenance fee and amount owed by each landowner per By-Laws of the South Hills Drive Road Association; and

**WHEREAS**, the attached petition and bylaws (Exhibit A) establishes voting rights of members of the RMD and establishes landowners of the RMD; and

**WHEREAS**, a map is attached (Exhibit B) and the boundaries of the RMD are defined by the outer-boundary of the lands owned by the eighteen landowners per the petition for RMD (Exhibit A).

**WHEREAS**, the Jefferson County Treasurer and Lewis and Clark County Treasurer will collect the RMD fees and upon presentation of the proper documentation of maintenance costs

issue a warrant for those costs from the fees which have been collected. The Treasurer is authorized to charge a 10% administration fee from these fees; and

**WHEREAS**, the petition (Exhibit A) is submitted as part of this Resolution of Intent to clarify how the Rural Maintenance District shall function;

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to § 7-12-2103, MCA, the Jefferson County Commission hereby created this Resolution of Intent to create a Rural Maintenance District number 1002, for South Hills Drive in Jefferson County, Montana and thereby shall publish notice of the passage of the Resolution of Intent as provided in §7-1-2121, MCA, and provide a copy of notice to be mailed by certified mail, as provided in §7-1-2122, to each person, firm or corporation or the agent of the person, firm or corporation owning real property within the proposed district. Lewis and Clark County was contacted and have consented to the Jefferson County Commission proceeding with the Resolution of Intent, and shall participate in the final hearing.

**DATED** this 26<sup>th</sup> day of July, 2005.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**CHUCK NOTBOHM, COMMISSIONER**

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**KEN WEBER, COMMISSIONER**